

Proclamation 3562

PROCLAMATION CORRECTING PART 3 OF THE APPENDIX TO THE TARIFF SCHEDULES OF THE UNITED STATES WITH RESPECT TO THE IMPORTATION OF AGRICULTURAL COMMODITIES

November 26, 1963

By the President of the United States of America

A Proclamation

67 Stat. C46.

64 Stat. 261.

WHEREAS, by Proclamation No. 3019 of June 8, 1953 (3 CFR, 1949–1953 Supp., p. 189) which was issued pursuant to section 22 of the Agricultural Adjustment Act, as amended (7 U.S.C. 624), the President imposed import quotas on certain dairy products, subject to allocation and license requirements administered by the Secretary of Agriculture, including an annual aggregate quota of 4,167,000 pounds upon imports of blue-mold cheese (except Stilton) and cheese and substitutes for cheese containing, or processed from, blue-mold cheese (hereinafter referred to collectively as “blue-mold cheese”); and

76 Stat. 1459.

WHEREAS, after investigation and report to the President by the United States Tariff Commission under subsection (d) of section 22 of the Agricultural Adjustment Act, the President issued Proclamation No. 3460 of March 29, 1962 (3 CFR, 1962 Supp., p. 41) which increased the annual quota for blue-mold cheese to an aggregate quantity of 5,016,999 pounds per quota year; and

77A Stat. 441.

76 Stat. 73.
19 USC prec.
1001.

WHEREAS headnote 1 to part 3 of the Appendix to the Tariff Schedules of the United States, as published in the FEDERAL REGISTER at the direction of the President pursuant to section 101(d) of the Tariff Classification Act of 1962 (28 F.R. 8599), states that part 3 covers “the provisions proclaimed by the President pursuant to section 22 of the Agricultural Adjustment Act, as amended * * * imposing quantitative limitations on articles imported into the United States * * *”; and

WHEREAS part 3 of the Appendix to the Tariff Schedules of the United States does not include certain of the provisions of Proclamation No. 3019 under which the Secretary of Agriculture allocates and licenses the quotas which were imposed thereunder; and

WHEREAS item 950.07 in part 3 of the Appendix to the Tariff Schedules of the United States specifies the quota quantity for blue-mold cheese as originally prescribed by Proclamation No. 3019 (4,167,000 pounds) rather than the quota quantity for such cheese as subsequently increased by Proclamation No. 3460 (5,016,999 pounds); and

19 USC prec.
1001.

Ante, p. 1017.

WHEREAS, pursuant to section 102(3) of the Tariff Classification Act of 1962, the President proclaimed the additional import restrictions set forth in part 3 of the Appendix to the Tariff Schedules of the United States (Proclamation No. 3548 of August 21, 1963, paragraph numbered 3; 28 F.R. 10853) in the erroneous belief that the aforementioned provisions of Proclamation No. 3019 with respect to allocation and licensing had been included, and that the quota specified therein for blue-mold cheese was the effective restriction on such cheese “proclaimed pursuant to section 22 of the Agricultural Adjustment Act” as provided in section 102(3) of the Tariff Classification Act of 1962; and

WHEREAS the United States Tariff Commission has advised me that in the preparation of part 3 of the Appendix to the Tariff Schedules of the United States pursuant to title I of Public Law 768, 83d Congress, and the Tariff Classification Act of 1962, it inadvertently overlooked the aforementioned provisions of Proclamation No. 3019 with respect to the allocation and licensing of the quota quantities and the change made by Proclamation No. 3460; and

19 USC 1332
note.
19 USC prec.
1001.

WHEREAS it would be contrary to the intent and purpose of, and the procedures prescribed by, section 22 of the Agricultural Adjustment Act, as amended, and the Tariff Classification Act of 1962 to permit these errors to remain uncorrected:

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, acting under and by virtue of the authority vested in me as President, and in conformity with the provisions of section 22 of the Agricultural Adjustment Act, as amended, and the Tariff Classification Act of 1962, do hereby proclaim that—

64 Stat. 261.
7 USC 624.
76 Stat. 72.
19 USC prec.
1001.
77A Stat. 442.

(a) headnote 3(a) of part 3 of the Appendix to the Tariff Schedules of the United States is hereby amended by inserting at the end thereof the following:

Such licenses shall be issued under regulations of the Secretary of Agriculture which he determines will, to the fullest extent practicable, result in (1) the equitable distribution of the respective quotas for such articles among importers or users and (2) the allocation of shares of the respective quotas for such articles among supplying countries, based upon the proportion supplied by such countries during previous representative periods, taking due account of any special factors which may have affected or may be affecting the trade in the articles concerned. No licenses shall be issued which will permit any of the cheeses or substitutes for cheese (items 950.07–.10) to be entered during the first 4 months and the first 8 months of the quota year in excess of one-third and two-thirds, respectively, of the quantities specified for such articles in the column entitled "Quota Quantity".

and

(b) the quota quantity amount specified in item No. 950.07 of part 3 of the Appendix to the Tariff Schedules of the United States is hereby amended by deleting "4,167,000" and inserting in lieu thereof "5,016,999".

IN WITNESS WHEREOF, I have hereunto set my hand and cause the Seal of the United States of America to be affixed.

DONE at the City of Washington this 26th day of November in the year of our Lord nineteen hundred and sixty-three, and [SEAL] of the Independence of the United States of America the one hundred and eighty-eighth.

LYNDON B. JOHNSON

By the President:

Dean Rusk,

Secretary of State.